REMARKS

Claims 1-57 were pending in this application. Claims 2-4, 15, 16, 21, 22, 42, 43 and 56 are cancelled by this amendment. Accordingly, upon entry of this amendment, Claims 1, 5-14, 17-20, 23-41, 44-55 and 57 will be pending. Applicants respectfully request favorable reconsideration of the pending claims in view of the amendments made herein and the following remarks.

The Office Action rejected claims 1-3, 5-9, 11-15, 17-21, 23-26, 41-42 and 50 under 35 U.S.C. 102(a) as being anticipated by United States patent serial number 6,081,830 (hereinafter referred to as the "Schindler patent"). Technically, the Schindler patent does not qualify as a 35 U.S.C. 102(a) reference since it was published on June 27, 2000, while the present patent application was filed on April 21, 1999. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. 102(a) rejection of these claims as being anticipated by the Schindler patent. Notwithstanding, the undersigned assumes that the Examiner intended to apply the Schindler patent as a 35 U.S.C. 102(e) reference to reject these claims. Accordingly, to expedite prosecution, remarks follows as to why a 35 U.S.C. 102(e) rejections using the Schindler patent should not follow in light of the amendments to the claims.

The Schindler patent

The Schindler patent describes systems for "automatic linking to program-specific chat rooms" (*Schindler, col. 1, lines 65-66*). The Schindler patent indicates that there is "inconvenience in having to constantly manually change chat rooms" (*Schindler, col. 1, lines 38-39*). It is this inconvenience that the Schindler patent attempts to avoid by performing such automated linking to chat rooms. The Schindler patent describes a "display screen 38 [that] includes television program area 40, in which the actual television program is viewable"

(*Schindler, col. 7, lines 3-4 and see Figure 3 of Schindler*). A "chat room identification area 44 indicates the name of the chat room; that is, it indicates the television program to which the chat room is specific" (*Schindler, col. 7, lines 9-11*). The user is "able to view what other users are typing in chat area 52 (*Schindler, col. 7, lines 36-37*).

Claim 1 is amended to incorporate the features of Claim 4 and any intervening claims. The Office Action indicated that Claim 4 was objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Claim 1, as amended, is allowable and in patentable form.

Claims 5-9 and 11-13 depend, directly or indirectly, from the amended Claim 1, and are thereby patentable for at least the reasons provided above for Claim 1.

Claim 14 is amended to incorporate the features of Claim 16, which previously depended directly from Claim 14. The Office Action indicated that Claim 16 was objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Claim 14, as amended, is allowable and in patentable form.

Claims 17-19 depend, directly or indirectly, from the amended Claim 14, and are thereby patentable for at least the reasons provided above for Claim 14.

Claim 20 is amended to incorporate the features of the prior Claim 22, which previously depended directly from Claim 20. The Office Action indicated that the prior Claim 22 was objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Claim 20, as amended, is allowable and in patentable form.

Claims 23-26 depend, directly or indirectly, from the amended Claim 20, and are thereby patentable for at least the reasons provided above for Claim 20.

Claim 41 is amended to incorporate the features of the prior Claim 43 and the intervening prior Claim 42. Accordingly, the amended Claim 41 has about the same scope as the prior Claim 43, which was not rejected under 35 U.S.C. 102(a) as being anticipated by the Schindler patent.

Claim 50 is amended to incorporate the features of the prior Claim 56. Accordingly, the amended Claim 50 has about the same scope as the prior Claim 56, which was not rejected under 35 U.S.C. 102(a) as being anticipated by the Schindler patent.

Claims 2-3, 15, 21 and 42 are cancelled by this response. Accordingly, the Claims 1-3, 5-9, 11-15, 17-21, 23-26, 41-42 and 50 are not anticipated by the Schindler patent under 35 U.S.C. 102(e).

The Office Action rejected claims 41-42 under 35 U.S.C. 102(a) as being anticipated by United States patent serial number 5,828,839 (hereinafter referred to as the "Moncreiff patent").

The Moncreiff patent

The Moncreiff patent discloses a system in which "plural user computers 18 communicate with the network 14 using respective software-implemented browsers 20" (*Moncreiff, col. 3, lines 23-25, and see Figure 1 of Moncreiff*). The "server computer 12 includes a chat module 26 for facilitating communication between user computers 18 via the network 14, in real time with broadcast programs that establish the subjects of discussion between the user computers 18 (*Moncreiff, col. 3, lines 34-38 and see Figure 1 of Moncreiff*). Accordingly, "each chat room that is implemented by the chat module 26 relates to a program being broadcast, real-time, over a respective channel (*Moncreiff, col. 3, lines 39-41*).

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A "main menu is presented to a user computer 18 by displaying the main menu on the monitor 22, when the associated browser 20 accesses then chat module 26 via the network 14" (*Moncreiff, col. 4, lines 7-10*). After "receiving the user's home sub-area and carrier" (*Moncreiff, col. 5, lines 31-32*) and "upon selection of a channel, a pull-down room select button 94 (shown in phantom in FIG. 4) appears next to the channel select button 92" (*Moncreiff, col. 5, lines 55-57*). To enter a chat room, "the user then clicks on an 'enter chat' button 96 (*Moncreiff, col. 5, lines 64-65*). Moncreiff does make brief mention that in one alternative embodiment "when the broadcast program is also being broadcast on the network 14, the program itself can be displayed in the window 104" (*Moncreiff, col. 6, lines 11-14 and see Moncreiff, Figure 8*).

Claim 41 is amended to incorporate the features of the prior Claim 43 and the intervening prior Claim 42. Accordingly, the amended Claim 41 has about the same scope as the prior Claim 43, which was not rejected under 35 U.S.C. 102(a) as being anticipated by the Moncreiff patent. Claim 42 is cancelled by this response. Accordingly, the rejection is moot with regards to Claim 42. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. 102(a) rejection of Claims 41-42.

Although Claim 50 was not expressly rejected under 35 U.S.C. 102(a) as being anticipated by the Moncreiff patent, the Office Action does give reasoning for applying this rejection to Claim 50 as well. Claim 50 is amended to incorporate the features of the prior Claim 56. Accordingly, the amended Claim 50 has about the same scope as the prior Claim 56, which was not rejected under 35 U.S.C. 102(a) as being anticipated by the Moncreiff patent. Accordingly, it is respectfully submitted that Claim 50 is not anticipated by the Moncreiff patent.

The Office Action rejected Claims 28-40, 43-49 and 51-57 under 35 U.S.C. 103(a) as being unpatentable over the Schindler patent and in view of the Moncreiff patent. The Office

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Action indicates that viewing these two patents together, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler by providing a chat option as taught by Moncreiff in order to the program viewer more options while watching a television program. Applicants respectfully traverse.

One of the primary goals of the Schindler patent was to avoid the inconvenience of manual entry into chat rooms (see Schindler, col. 1, lines 37-41). Schindler accomplishes this primary goal by performing an automatic linking (see Schindler, col. 1, lines 65-66). This automatic linking is so important to the functionality of the Schindler patent that the Schindler patent title is "Automatic Linking to Program-Specific Computer Chat Rooms." Accordingly, the Schindler references teaches away from any modification in which the automatic linking feature is removed as this would destroy the functionality of the system described in the Schindler patent. Since there is no motivation to combine the Schindler patent and the Moncleiff patent due to their inherently incompatible functions, Applications respectfully request the withdrawal of the 35 U.S.C. 103(a) rejection.

Attached hereto is a marked-up version of the changes made to the previous version of the specification and claims by this amendment. The attached pages are captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

For the foregoing reasons, Applicants submit that the pending claims are in condition for allowance and courteously request favorable action. If there are any outstanding issues that could be resolved by telephone, the Examiner is invited to contact the undersigned attorney.

Dated this 17th day of June, 2002.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claims 2-4, 15, 16, 21, 22, 42, 43 and 56 are cancelled.

Claims 1, 5, 10, 14, 20, 27, 41, 48 and 50 have been amended as follows:

1. (Amended) In a computer system having a graphical user interface including a display, a method comprising the steps of:

receiving a video signal;

displaying the video signal on the display;

receiving text communications from one or more viewers of the video signal, the text communications being related to the video signal; and

displaying the received text communications on the display with the video signal wherein the video signal is displayed in a video region of the display and the text communications are displayed in a chat region of the display, wherein the chat region of the display overlies the video region of the display.

5. (Amended) The method of claim [2] 1, wherein an identifying characteristic of the video signal is displayed outside of the video region of the display.

10. (Amended) [The] In a computer system having a graphical user interface including a display, a method [of claim 5] comprising the steps of:

receiving a video signal;

displaying the video signal on the display;

receiving text communications from one or more viewers of the video signal, the text communications being related to the video signal; and

displaying the received text communications on the display with the video signal, wherein an identifying characteristic of the video signal is displayed outside of the video region of the display, wherein the identifying characteristic includes a background underlying other displayed data.

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14.   (Amended)   In an entertainment system which includes a graphical user interface for presentation on a display, a method comprising the steps of:

receiving a broadcast video signal from a broadcast signal source;

displaying the broadcast video signal in a video region of the display;

receiving text communications from a chat source different from the broadcast signal source, the text communications including text from two or more viewers of the broadcast video signal, and the text communications being related to the broadcast video signal; and

displaying the received text communications in a chat region of the display, the text communications being displayed on the display with the broadcast video signal, wherein the chat region of the display overlies the video region of the display.

20.   (Amended)   A graphical user interface for presentation on a display device, the graphical user interface comprising:

a video region of the display for presentation of a video program having an identifying characteristic; and

a chat region of the display for real-time presentation of text communications between viewers of the video program during viewing of the video program, wherein the appearance of the graphical user interface outside the video region is determined at least in part by an identifying characteristic of the video program, wherein the chat region of the display overlies the video region of the display.

27.   (Amended)   [The] A graphical user interface [of claim 20] for presentation on a display device, the graphical user interface comprising:

a video region of the display for presentation of a video program having an identifying characteristic; and

a chat region of the display for real-time presentation of text communications between viewers of the video program during viewing of the video program,

wherein the appearance of the graphical user interface outside the video region is determined at least in part by an identifying characteristic of the video program, wherein the identifying characteristic is used to determine a background over which other information is displayed.

41.   (Amended)   An entertainment system for use in supplementing video programming with interactive text communications for concurrent presentation on a video display, the entertainment system comprising:

a control unit configured to receive video programming for presentation on the display, and to present a chat option on the display for selection by a program viewer; and

a server arrangement configured to communicate with the control unit upon selection of the chat option for identification of the video programming, the server arrangement further being configured to determine a chat room identity based on the identified video programming and to communicate text communications within the identified chat room to the control unit for presentation on the video display concurrently with the video programming, wherein the server arrangement includes:

a web server in communication with the control unit to receive a video program identity from the control unit and to determine a video-program-based chat room identity for transmission to the control unit, wherein the web server is further configured to determine an identifying characteristic of the video programming, and to define a user interface based, at least in part, on the identifying characteristic of the video program; and

a chat server configured to establish the identified chat room and to communicate text communications within the identified chat room to the control unit for presentation on the video display.

44.   (Amended)   The entertainment system of claim [43] 41, wherein the identifying characteristic identifies an episode of a television series.

45.   (Amended)   The entertainment system of claim [43] 41, wherein the identifying characteristic identifies a television series.

46.   (Amended)   The entertainment system of claim [43] 41, wherein the identifying characteristic identifies a television network affiliate providing the video programming.

47.   (Amended)   The entertainment system of claim [43] 41, wherein the identifying characteristic identifies a television network providing the video programming.

48.   (Amended)   [The] An entertainment system [of claim 41] for use in supplementing video programming with interactive text communications for concurrent presentation on a video display, the entertainment system comprising:

      a control unit configured to receive video programming for presentation on the display, and to present a chat option on the display for selection by a program viewer; and

      a server arrangement configured to communicate with the control unit upon selection of the chat option for identification of the video programming, the server arrangement further being configured to determine a chat room identity based on the identified video programming and to communicate text communications within the identified chat room to the control unit for presentation on the video display concurrently with the video programming, wherein the video programming has a beginning and an end, the control unit being configured to direct program viewers to a subsequent chat room upon reaching the end of the video programming.

50.   (Amended)   In an entertainment system including a video display configured to present video programming from a video program source and to present text communications from a chat room of a chat server; a control unit comprising:

a video receiver configured to receive a video program for presentation on the video display, and configured to receive a unique program identifier of the video program for selection of a chat room based on the unique program identifier; and

a browser device in communication with the video receiver to identify the selected chat room, the browser device being configured to communicate with the selected chat room and to present text communications occurring within the selected chat room on the video display concurrently with the video program, wherein the video program has a beginning and an end, the browser device being configured to direct program viewers to a subsequent chat room upon reaching the end of the video program.